

Town of Wenham Conservation Commission Minutes

November 26, 2007

7:30 PM Senior Center

Commissioners Present: Patrick Wilson, Chair; Leo Maestranzi; Robert Burnett, Ken Whittaker
Also Present: Emilie Cademartori, Conservation Coordinator

Prior to Commissioner Whittaker's arrival, the meeting was begun to discuss items for which a quorum was not needed.

Mary Rimmer was present with property owner Jonathon Prescott to discuss a clarification of the recently approved OOC for 9 Hull Street (#326-0304). The previously submitted and approved plans did not clearly indicate a roofed carport attached to the garage, only the footings were shown. The architect has re-designed the roof as a cantilever with no footings. A gutter will direct roof runoff to a drywell outside the buffer. As there is no substantial change, a formal amendment will not be required. The clarified plans will be submitted and the OOC will be edited to refer to the updated plans so that there will be discrepancies at the time of the COC.

The December schedule was discussed. The second meeting falls on Christmas Eve, and will be cancelled. Therefore, December 10 will be the only meeting in December. The coordinator will have the website calendar updated.

Commissioner Whittaker arrived at 7:50.

Continued Public Hearings

Notices of Intent

1. Horse Hill lane (DEP file# 326-0301)

Horse Hill Lane road improvement, driveway, house & septic

Applicant Peter Proulx

Chairman Wilson explained that the hearing has been continued for too long, that it is an undesirable situation. It was suggested that they withdraw and be allowed to reapply at no cost at a future date when the other legal issues have been settled. A letter has since been received from Applicant's attorney requesting to withdraw the application. There was a brief discussion on the technical details of processing the withdrawal. DEP will be consulted.

2. Nelson Avenue, access from Beverly (off Dodge St) (DEP file # 326-0303)

Gravel driveway, culvert replacement, single family house and septic

Applicant: Matthew Power

Representative: John Dick, Hancock Associates

Matthew Power and John Dick were present. There was a site visit conducted 11/20/07 with commissioners Wilson, Reid, Colarusso and Maestranzi present. John Dick provided a revised narrative to the NOI and summarized the site plan. The gravel road is to be graded in situ with a net decrease in fill volume of +/- 20 cubic yards. The clogged/collapsed culvert will be removed and either cleaned or replaced depending on its condition. It is to be re-installed at a higher grade. The proposed dwelling and septic system are outside of the 100 ft buffer to the BVW.

There was a lengthy discussion on the discrepancy in the riverfront delineation between the current plans and the ORAD issued in 2000. Mr. Dick argued that the previous high water line was due to beaver activity and not a true river bank. His soil investigation supports the current delineation (no histosol soils). Mr. Dick then agreed that even if the riverfront line is similar to the 2000 line, it would not effect the project.

There was a discussion on the need for a waiver from the local bylaw for the location of the driveway, as it is to be closer than 20 feet to the resource. Commissioner Maestranzi expressed some concern over setting a precedent by granting the waiver. Mr. Dick rebutted, that moving the driveway would have a greater impact on the “more valuable” wetland resource on the river side of the driveway.

There are 2 mapped potential vernal pools on the site. They are most likely within the E & F series flagged areas. Mr. Dick explained that they are only potential and not certified and that they are greater than 200 feet from the building envelope. He did admit that the current boat storage area is within the buffer to these resources and that the applicant is willing to relocate the boat and its associated materials.

Chairman Wilson requested that the hearing be continued to 12/10 to allow Commissioner Whittaker to visit the site and allow the revised narrative to be reviewed. There was a motion to do so, and it passed 4-0.

Discussion Items

- Open Space Plan update

The 2001 plan needs to be updated in order for the Town to qualify for state grants. The coordinator will begin the process. Also, the grant possibilities will be researched.

- Revisions to local regulations

Commissioner Whittaker will begin the process within the next 2 weeks to bring the local regulations in line with the updated bylaw. Also, the minor editorial changes to the bylaw will be submitted for the special town meeting January 22, 2008.

- Submitted budget request FY 2009

The coordinator briefly reviewed the FY 09 budget submitted to the town accountant. Essentially most expense items were increased by 3% and the salary item was increased as per contract.

- Seventh member recruiting

All members were encouraged to reach out to Wenham residents in an attempt to fill the vacancy on the board.